

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

CHMURA ECONOMICS & ANALYTICS, LLC,)	Case No. 3:19-cv-00813
)	Judge Robert E. Payne
)	
Plaintiff,)	
)	
v.)	
)	
RICHARD LOMBARDO,)	
)	
Defendant.)	

MOTION OF DEFENDANT RICHARD LOMBARDO FOR SUMMARY JUDGMENT
PURSUANT TO FED.R.CIV.P. 56

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Civil Rule 56, Defendant Richard Lombardo (“Lombardo”) moves the Court for an Order granting partial summary judgment in his favor and against Plaintiff Chmura Economic & Analytics, LLC (“Chmura”) as follows:

1. On Counts I (Breach of Contract), II (Declaratory Judgment), III (Violation of the Defend Trade Secrets Act), and IV (Conversion) of the First Amended Complaint;
2. On the Sixth Claim for Relief (Declaratory Judgment – Invalidity & Unenforceability of the Agreement) of Defendant Richard A. Lombardo’s Counterclaim Against Plaintiff Chmura Economics & Analytics, LLC (the “Counterclaim”); and
3. On the First Claim for Relief (Violation of the FLSA), Fourth Claim for Relief (Violation of the Ohio Prompt Pay Act), Fifth Claim for Relief (Violation of the Ohio Minimum Fair Wage Standards Act) of the Counterclaim as to liability.

After the Court sustains this Motion, remaining issues left for adjudication will be the Second Claim for Relief (Retaliation under the FLSA), Third Claim for Relief (Breach of Contract), and the amount of damages that Chmura is required to pay to Lombardo.

Lombardo is filing the attached memorandum in support of this Motion.

Respectfully submitted,

/s/ Thomas J. Powell

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Attorneys for Defendant Richard Lombardo

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing Motion for Summary Judgment has been served on this 15th day of May, 2020, via the Court's electronic filing system upon the following:

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